

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

April 10, 1997 LB 372, 517, 730

vote nay. Record.

CLERK: 31 ayes, 0 nays, Mr. President, on the adoption of the Select File amendment.

SPEAKER WITHEM: Senator Bruning. The amendment is adopted. Senator Bruning.

SENATOR BRUNING: Mr. Speaker, I'd move we advance LB 517 to E & R for engrossing.

SPEAKER WITHEM: All in favor say aye. Opposed. It is advanced, readvanced. Mr. Clerk, LB 372.

CLERK: (LB) 372, Senator Landis would move to return the bill for specific amendment, AM1285. (Found on page 1433 of the Legislative Journal.)

SPEAKER WITHEM: Senator Landis.

SENATOR LANDIS: Thank you, Mr. Speaker, members of the Legislature. I have Senator Kristensen's permission to do this, and in so doing, I'm actually attempting to add a relevant bill that's otherwise been heard by the Judiciary Committee and reported out unanimously into LB 372. That bill was LB 730. Present to support it were the Policy Committee of the Bar Association on the bankruptcy section, one of our trustees for the state of Nebraska of the bankruptcy court, a couple of lawyers, and the opponents at the time were to the green copy of the bill, but now accept these amendments and there is no controversy on their provisions, and that representative was Bob Hallstrom of the Nebraska Bankers Association. If you sue somebody and you win, you get to execute that judgment, but the law does not permit you to take everything away from that person. When an individual declares bankruptcy, they have to surrender up their assets to pay back their creditors, but the law does not require that they give up everything, and the reason the law doesn't require that is because you need enough money to have a fresh start. If you don't have those means, you will fall immediately onto the welfare rolls and become a burden to society. So we allow people who have either executions against them by lawsuits or bankruptcy to keep certain kinds of